

B1
each turn defining a generally cylindrical body being interconnected to one of the adjacent turns so that the turns defining a generally cylindrical body form a longitudinally flexible stent. --

- 6. The stent of claim 5, wherein the distance between adjacent turns defining a generally cylindrical body is less than the width of either a single peak or a single valley. --
- 7. The stent of claim 5, wherein each of the turns defining a generally cylindrical body includes at least three peaks and three valleys. --
- 8. The stent of claim 5, wherein the peaks and valleys have a substantially U-shaped configuration. --
- 9. A longitudinally flexible stent for implanting in a body lumen, comprising;
a first turn defining a generally cylindrical body, a second turn defining a generally cylindrical body, a third turn defining a generally cylindrical body, up to an Nth turn defining a generally cylindrical body, the turns being generally independently expandable in the radial direction and generally aligned on a common longitudinal axis;
each of the turns having an undulating pattern of peaks and valleys, the undulating pattern of each turn being out of phase with the undulating pattern of each of the adjacent turns; and
each of the turns being interconnected to one of the adjacent turns so that the turns defining a generally cylindrical body form a longitudinally flexible stent. --
- 10. The stent of claim 9, wherein the distance between adjacent turns defining a generally cylindrical body is less than the width of either a single peak or a single valley. --

- B1
- 11. The stent of claim 9, wherein each of the turns defining a generally cylindrical body includes at least three peaks and three valleys. --
 - 12 The stent of claim 9, wherein the peaks and valleys have a substantially U-shaped configuration. --

Cancel claims 1-4.

REMARKS

Pursuant to 37 CFR §1.607(c), attention is drawn to the fact that newly presented claims 5-12 defines the same patentable invention as claims 1-8 of U.S. Patent No. 6,066,167, issued May 23, 2000 to Lilip Lau, William M. Hartigan, and John J. Frantzen (hereinafter "Lau"), assignors to Advanced Cardiovascular System, Inc., Santa Clara, California.

(1) Effective Dates and Applicable Rules

Applicant claims the benefit of

- (i) Serial No. 09/531,097 filed March 21, 2000,
- (ii) Serial No. 07/872,737 filed April 22, 1992, now US Patent No. 6,113,621,
- (iii) Serial No. 07/327,286 filed March 22, 1989, now US Patent No. 5,133,732, and
- (iv) Serial No. 07/109,686 filed October 19, 1987, now US Patent No. 4,886,062.

Regardless of actual disclosure, it appears Lau could not be entitled to any date earlier than October 28, 1991 for Serial No. 07/783,558.² Accordingly, since Applicant's Serial Nos. 07/327,286 and 07/109,686 were filed two and a half and four years earlier, Applicant should be Senior Party. Moreover because Applicant's effective date is earlier than any which Lau could assert,

² Applicant does not concede Lau in fact is entitled to that date.